

**STERNS & WEINROTH**

**A Professional Corporation**

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Debtor and Debtor-in-Possession

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

In re:  NUTRAQUEST, INC.,  Debtor.	Civil No.: 03-5869 (GEB)  United States Bankruptcy Court Chapter 11 Case No. 03-44147 (RTL)
In re:  Nutraquest Personal Injury Cases.	
HALPERIN, ARTHUR & CAROL, Plaintiffs,  v.  CYTODYNE TECHNOLOGIES, INC., a New Jersey corporation, Defendant.	Civil Action No.: 04-1080(GEB)
CLIFTON, KEN & FULCHER, KRISTEN, Plaintiffs,  v.  CYTODYNE TECHNOLOGIES, INC., et als., Defendants.	Civil Action No.: 04-819(GEB)

<p>EDWARDS, MICHELLE, Plaintiff, v. CYTODYNE TECHNOLOGIES, INC., et als., Defendants.</p>	Civil Action No.: 04-821(GEB)
<p>PIERCE, VIRGINIA, Plaintiff, v. CYTODYNE TECHNOLOGIES, INC., et als., Defendants.</p>	Civil Action No.: 04-1747(GEB)
<p>ROSS, LINDA, Plaintiff, v. CYTODYNE TECHNOLOGIES, INC., et als., Defendants.</p>	<p>Civil Action No.: 04-826(GEB) Return Date: February 14, 2006</p>

**NOTICE OF OMNIBUS MOTION BY DEBTOR AND DEBTOR-IN-POSSESSION FOR APPROVAL OF THE SETTLEMENT AGREEMENTS AND RELEASES PURSUANT TO FED. R. BANKR. P. 9019 AND FOR RELATED RELIEF**

TO: All Interested Parties

PLEASE TAKE NOTICE that on February 14, 2006 at 1:00 p.m., or as soon thereafter as counsel may be heard, the undersigned, Sterns & Weinroth, A Professional Corporation, attorneys for Nutraquest, Inc., Debtor and Debtor-in-Possession (the "Debtor"), in the above-captioned case, shall move before the Honorable Garrett E. Brown, Jr., Chief Judge, United States District Court for the District of New Jersey, in Courtroom 4E of the Clarkson S. Fisher

United States Courthouse and Federal Building, 402 E. State Street, Trenton, New Jersey 08607, for the entry of an Omnibus Order in the above-referenced cases approving certain Settlement Agreements and Releases pursuant to Fed. R. Bankr. P. 9019 and granting related relief (the “Motion”).

PLEASE TAKE FURTHER NOTICE that, upon the directive of Honorable Garrett E. Brown, Jr., Chief Judge, objections, if any, to the within Motion shall be filed with the Clerk of the United States District Court (with a courtesy copy mailed directly to the Chambers of the Honorable Garrett E. Brown, Jr., Chief Judge) and served upon Sterns & Weinroth, A Professional Corporation, Attn: Simon Kimmelman, Esq., so as to be received on or before February 3, 2006. Responses to such objections, if any, shall be filed and served in like manner so as to be received on or before February 10, 2006.

PLEASE TAKE FURTHER NOTICE that in support of the within Motion, the undersigned shall rely upon the Application filed and served simultaneously herewith.

PLEASE TAKE FURTHER NOTICE that the Debtor’s Application in Support of the Motion sets forth the legal and factual authority supporting the relief sought. The Debtor respectfully requests that the requirement of a separate memorandum of law be waived.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order was submitted simultaneously herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is hereby waived unless opposition is filed.

**STERNS & WEINROTH**  
**A Professional Corporation**  
Attorneys for Nutraquest, Inc.,  
Debtor and Debtor-in-Possession

By: /s/ Valerie A. Hamilton  
Simon Kimmelman  
Valerie A. Hamilton

Dated: January 19, 2006